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Vol. 8.

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No. 13

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EDWIN O. HALL, EDITOR.

TERMS.

One copy per annum, in advance, \$5 00
One copy six months, in advance, 3 50
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continuation 25 cts.; one half square (8 lines or less),
first insertion, 50 cts., each continuation 12 1/2 cts.; Cards, no-
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not exceeding one square, \$8.00. Yearly advertising not
exceeding one half square, \$3.00; not exceeding one
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vertiser's own business.
Legal Advertisements.—Twenty-five cents per line, for
the first insertion, and six and one-fourth cents for each
subsequent insertion.
Transient advertisements are required to pay in advance.

List of Agents for the Polynesian.

LAHAINA, H. I. SWINSON. BOSTON, G. D. JAMES & CO.
HONOLOU, H. I. THOMSON. SAN FRANCISCO, H. I. T. D. HUNT.

BUSINESS CARDS.

POLYNESIAN PRINTING OFFICE.

Plain and Fancy Book and Job Printing

—SUCH AS—
Pamphlets, Catalogues, Circulars, Handbills, Bill Heads, Shop Bills, Bills of Exchange, Bills of Lading, Consular Blank, Blank Deeds,

VISITING, BUSINESS AND ADDRESS CARDS
Executed with neatness and dispatch, on liberal terms.

S. H. WILLIAMS & CO.,
Importers & Commission Merchants.

S. H. WILLIAMS, Boston, Mass. U. S. A.
J. F. MARSHALL, Honolulu, Oahu, H. I.
J. F. SNOW, Honolulu, Oahu, H. I.
W. BAKER, Jr., San Francisco, A. C.
G. R. POST, Honolulu, Oahu, H. I.
*Bills of Exchange on the United States and Eu-
rope wanted. 161f

EVERETT & CO.,
General Commission Merchants.

THEO. SHILLABEY, Honolulu, Oahu, H. I.
JAMES J. JARVIS, San Francisco, California.
J. M. JARVIS, Boston, Mass. U. S. A.
Money advanced on favorable terms for Bills of
Exchange on the United States, England and France.

MAKER, ANTHON & CO.,
Commission Merchants & Ship Chandlers,
HONOLULU, OAHU, H. I.

JAMES MAKER, Hawaiian Islands.
J. A. ANTHON, Coast, Between 2d.
Ships supplied with Refreshments, Provisions, &c.,
at the shortest notice, on reasonable terms.
N. B.—Money advanced on government or wharf bills on the U.
S. or Europe, for which money will be advanced on fa-
vorable terms.

STARKEY, JANON & CO.,
Merchants & Commission Agents,
HONOLULU, OAHU, H. I.

HONOLULU, OAHU, H. I.
SAN FRANCISCO, CALIFORNIA.

B. F. BOLLES & CO.,
DEALERS IN
Ship Chandlery and General Merchandise,
LAHAINA, MAUI.

B. F. BOLLES, S. HOFFMEYER.
Ships supplied with recruits at the lowest Market
Prices.
Money advanced on reasonable terms for Bills of Ex-
change on the United States and Europe. 14-1f

G. W. VINCENT,
HOUSE CARPENTER AND JOINER,
HONOLULU, OAHU, H. I.

Having re-opened his shop, is now prepared to
execute building and jobbing at short notice, and on
the most reasonable terms.

BUSE & CO.,
Ship Chandlers & Commission Merchants,
LAHAINA, MAUI.

ALFRED W. BUSH, Hawaiian Islands.
CHARLES P. ROBINSON, Honolulu, Oahu, H. I.
Ships supplied with recruits, in exchange for goods or
cash.
*Money advanced, at the lowest rates, for Bills of
Exchange on the United States or Europe. 20 1/2 f

C. F. SAMSON & CO.,
DEALERS IN CHINA GOODS,
HONOLULU, OAHU, H. I.

On hand and for sale, Sugar, Molasses, Tea and Coffee.
Ships supplied with recruits, in exchange for goods or
cash.

STONE AND FLANDREAU,
HOUSE CARPENTERS & JOINERS,
(Opposite the residence of George Pelly, Esq.)
HONOLULU, OAHU, H. I.

*Jobbing done at the shortest notice and on the
most reasonable terms. Feb 23-41

CLARK & McCOLGAN,
TAILORS.
On the premises adjoining Dr. Wood's
HONOLULU, OAHU.

Garments cut and made to order in the latest styles.
Jan 24-41

NICHOLSON & HENDERSON,
SHIP CHANDLERY AND PROVISIONS,
HONOLULU, OAHU, H. I.

Ships supplied with recruits at the lowest market price
for Cash or Bills on the United States or Europe.

AUSTIN & BAILE,
DEALERS IN GENERAL MERCHANDISE,
HONOLULU, OAHU, H. I.

Ships supplied with recruits, in exchange for goods or
cash.

J. T. GOWER,
SHIP CHANDLERY AND PROVISIONS,
MAKAWA, MAUI, H. I.

Ships supplied with recruits, in exchange for goods or
cash.

SWAN & CLIFFORD,
Bakers & Dealers in General Merchandise,
HONOLULU, OAHU, H. I.

Jan. 12. 35-7

WELCH ALTING,
Dealer in General Merchandise.
(At the Store formerly occupied by I. MONTGOMERY.)
HONOLULU, OAHU, H. I. 17-3

R. A. B. WOOD,
CABINET MAKER AND UPHOLSTERER,
HONOLULU, OAHU, H. I. 19-1f

SEA & BARTON,
Auction and Commission Merchants.
H. SEA, AUCTIONEER.
17-49 HONOLULU, OAHU, H. I.

THOMPSON & HOWE,
Auction & Commission Merchants,
(F. W. THOMPSON, AUCTIONEER.)
HONOLULU, OAHU.

JOHN BECK,
Commission Merchant,
And General Commercial & Shipping Agent,
May 27, 1850. 8m2f HONOLULU, Sandwich Is.

J. H. SMITH.

EMPIRE CITY LINE.

NEW YORK THROUGH TICKETS.

THE ONLY DIRECT LINE OF STEAMSHIPS
FOR PANAMA. Through tickets from San
Francisco to New York, by way of Chagres and
Panama. The splendid and popular steamships
SARAH SANDS, 1,500 tons burthen, W. C.
Thompson, Commander, and NEW ORLEANS,
1,100 tons burthen, J. W. Wood, Commander, will
leave San Francisco for Panama, direct, connecting
at Chagres with the staunch and well known
steamships CRESCENT CITY, 1,500 tons burthen,
Chas. Stoddard, Commander, and EMPIRE CITY,
2,000 tons burthen, J. G. Wilson, Commander.

Rates of fare: San Francisco to Panama direct.
First Cabin, \$200
Second Cabin, 150
The Second Cabin has a separate table, and the
berths are fully furnished with hair mattresses and
bedding, and on board the Sarah Sands are state
rooms, a great advantage in point of comfort, over
the unfurnished bunks of an open steamer.

Charges to New York.
After Saloons, \$125
Forward Saloons, 100
Lower Cabin, 90
All the above have the same table and privileges
of the Saloons.

Steering, found with mattresses and board, 65
An experienced Surgeon is attached to each
steamer.

Subscribers are now issuing through tickets
to New York by the above named steamers.

EVERETT & CO.
Honolulu, May 15, 1850. -14f

PORTER & OGDEN,

General Merchants and Commission Agents,
(Opposite the Custom House.)
HONOLULU, OAHU, H. I.

11-6m

HENRY ROBINSON & CO.,
Merchants and Commission Agents,
July 13-9y HONOLULU, H. I.

CRABB & SPALDING,

Ship Chandlers and Commission Merchants,
HONOLULU, OAHU.

Constantly on hand a supply of ship stores and
recruits suited to the wants of vessels visiting this
port, and for sale at the lowest market prices, for
cash or bills of exchange on the United States and
Europe. Jan 24-4y

M. R. HARVEY & CO.,
HOUSE, SIGN, SHIP, COACH AND
Ornamental Painters,
Having re-opened the shop on the premises of C.
W. Vincent, is now prepared to execute all orders
with neatness and dispatch, on the most reasona-
ble terms.
Honolulu, March 28, 1850. 461f

CHARLES BREWER,
Commission Merchant,
Refer to: BOSTON, U. S.
THOMAS, ANTHON & CO. Jan 24-4y
R. W. WOOD.

JOHN GAVIN,
Merchant and Painter,
HONOLULU, OAHU.

Jan. 12. 35-y HAWAIIAN ISLANDS.

WRIGHT & ROBINSON,
House, Sign, Ship, Coach and Ornamental
Painters.
(Imitations of Wood and Marble executed with
neatness and dispatch.)
HONOLULU, OAHU, H. I. 17-3

BOWLIN & CARTWRIGHT,
Dealers in General Merchandise,
HONOLULU, OAHU, H. I.

17-3y RICH'D H. BOWLIN. ALFRED D. CARTWRIGHT.

APHEO & AHYONG,
(Known as the firm of Hopwa & Co.)
Bread and Biscuit Bakers, Dealers in
General Merchandise, &c.,
HONOLULU, H. I. 17-3

BENJAMIN PITMAN,
DEALER IN SHIP CHANDLERY,
General Merchandise and Hawaiian Produce,
Byron's Bay, Hilo, Hawaii, has a consignment on hand
of a general assortment of Merchandise
usually required by whalers touching at these
islands for recruits.
*Money advanced on liberal terms for Bills
of Exchange on the United States, England and
France. 191y

D. N. FLITNER,
(SUCCESSOR TO MR. E. BERNARD.)
Continues to repair CHRO-
MOMETERS, at the old stand
accurate rates determined by fre-
quent observations with a Transit Instrument, made
by "Roskell," Liverpool.
*Particular attention given to fine WATCH
REPAIRING. Dec 8. 30-y.

S. H. WILLIAMS & CO.,
IMPORTERS of American and European
Goods, will keep constantly on hand a general
assortment of Merchandise adapted to the markets
of Oregon, California and the Hawaiian Islands. A
general assortment of Ship Chandlery and Provi-
sions required by whalers touching at this port for
recruits, on hand, which will be supplied on liberal
terms for cash, or Bills of Exchange. 191y

HOLLOW WARE.
CASKS ENAMELLED WARE, con-
sisting of
Roulet Boilers, Sauce Pans, Tea Kettles,
Preserving Pans, Skillets, Griddles, Glue Pots,
Frying Pans, &c., &c., received per Tarr, and
for sale by
221f EVERETT & CO.

VALUABLE HOUSE AND LOT FOR
SALE.—The subscriber has on hand to leave this
Kingdom, offers his Dwelling House and Lot for sale.
The premises are situated in the business part of Hon-
olulu, fronting on two streets, and have on them a well
of excellent water, cook house, barn, &c.—Also a quantity
of bearing Fruit Trees.
J. TURKILL. C. R. BISHOP, Agent.

NOTICE is hereby given that from and af-
ter this date no horses, cattle, or other animals
will be allowed to run at large on the plains of Ka-
la o Kahua Waikiki. Animals running at large will
be impounded.
By order of the Minister of the Interior.
Honolulu, May 4, 1850. -51-1f

NOTICE IS HEREBY GIVEN to appli-
cants for the purchase and leasing of Govern-
ment lands, that the Legislature being now in ses-
sion, attention to their numerous applications must
be deferred for the present, until the more pressing
business of the Government is disposed of.
By order of the Minister of the Interior.
may 75-31f KEONI AN A.

HENRY S. SWINTON,
AUCTIONEER and General Commission
Merchant, Lahaina, Maui, Hawaiian Islands,
has constantly on hand and for sale, a general as-
sortment of Hawaiian Produce, adapted to the
wants of whalers visiting these islands for recruits;
which will be supplied on reasonable terms for
Cash or Bills of Exchange on England, France or
the United States.
Any business entrusted to his care will be prompt-
ly attended to. 191y

By Authority.

AN ACT

ESTABLISHING A PENAL CODE.

CHAPTER XXXIII.—Liber (Continued.)

10. A libel may be of a body, board,
class, society or association of individuals,
public or private, no less than of one or
more persons individually.

11. Every public officer, and any board
or body of persons having legal jurisdic-
tion and cognizance of a matter, is privi-
leged in writing, printing or publishing in
good faith, and in the usual or in due course
of proceedings, anything, the writing, print-
ing or publishing of which pertains to the legal
exercise of his functions and legal dis-
charge of his duty as such. For example,
judges are privileged in what concerns the
due administration of justice, and juries in
rendering their verdicts.

12. Any person giving testimony or mak-
ing statements under an oath, is not
chargeable with libel for what he testifies
relative to the subject matter in respect to
which his testimony is required, or in per-
tinent reply to the interrogatories on which
he is examined.

13. A person shall not be subject to the
punishment for libel, for anything pertinent
to the subject matter of consideration or in-
quiry, in good faith and on probable grounds,
written or printed or published by him in the
usual manner, or in due course of proceed-
ings as a party, counsel, agent, guardian,
or representative of, or in behalf of a party,
or of the public, in any prosecution, suit,
petition, complaint or memorial, pending or
about to be brought before any court, jury,
arbitrator, officer, person, board, or body,
having according to law or the agreement
of parties, authority to proceed therein.

CHAPTER XXXIV.—Affray.

1. An affray is the fighting of two or
more persons, to the terror of the King's
subjects or of the people.

2. Affrays are of two kinds, viz: those
which are aggravated, and those which are
not aggravated.

3. An affray having a direct tendency to
some high crime or misdemeanor, or tend-
ing to interfere with and disturb the course
of legislation, or the administration or ex-
ecution of the laws, or with the legal rights
of others, is an aggravated affray. So also
an affray in the presence of the King and
Council, the house of Nobles and Repre-
sentatives, or either of them, or of a court
of justice while either is in session; or in a
church or chapel during a religious service;
or the fighting with dangerous weapons, to
the terror of the King's subjects, or of the
people, is an aggravated affray.

4. Mere quarrelsome words do not
amount to an affray; but if by reason of
the parties being armed, or other apparent
imminent violence there be good cause of
terror, it is an affray though there be no ac-
tual violence.

5. Whoever is guilty of being a party
concerned in an aggravated affray, shall be
punished by imprisonment at hard labor not
more than six months, or by fine not exceed-
ing three hundred dollars.

6. Whoever is guilty of being a party
concerned in an affray, the same not appear-
ing to be an aggravated affray, shall be pun-
ished by imprisonment at hard labor not
more than two months, or by fine not ex-
ceeding fifteen dollars.

CHAPTER XXXV.—Drunkenness, Blasphemy, Profanity.

1. Whoever is found drunk in any
street, road, or other public place, from the
voluntary use of any intoxicating liquor,
shall, on the first conviction for such offense,
be punished by a fine not exceeding six dol-
lars, and on any conviction for any like
offense committed after the first conviction
by a fine not exceeding twelve dollars, or by
imprisonment not more than three months;
but no prosecution for such offense shall be
sustained, unless it shall be commenced
within six months after the commission
thereof.

2. Whoever blasphemes the holy name of
God, by denying, cursing or contumeliously
reproaching God, his creation, government,
or final judging of the world; or by cursing
or contumeliously reproaching Jesus
Christ or the Holy Ghost; or by cursing
or contumeliously reproaching the holy word
of God, contained in the holy scriptures,
or exposing them to contempt or ridicule,
shall be punished by imprisonment at hard
labor not more than one year, or by fine
not exceeding one hundred dollars.

3. Whoever, having arrived at the age
of discretion, profanely curses or swears,
shall be punished by a fine from one to six
dollars; but no prosecution for such offense
shall be sustained, unless it shall be com-
menced within thirty days after the commis-
sion of the offense.

CHAPTER XXXVI.—Disturbing Religious Worship.—Violating the Sabbath.

1. Whoever willfully interrupts or dis-
turb any religious assembly or assembly
for religious worship, whether such offender
commit such offense, within or without the
place of assembly, and whether such offense
be committed on the Lord's day or at any
other time, shall be punished by imprison-
ment at hard labor not more than thirty days,
or by fine not exceeding fifteen dollars, in
the discretion of the court.

2. The Lord's day is *taboo*: All world-
ly business, amusements and recreation are
forbidden on that day; and whoever shall
keep open his shop, store, warehouse, or
workshop, or shall do any manner of labor,

business or work except only works of ne-
cessity and charity, or be present at any
dancing, public amusement, show or enter-
tainment, or take part in any game, sport or
play on the Lord's day, shall be punished
by a fine not exceeding ten dollars.

3. Whoever being a hotel, inn, victual-
ing house, bowling alley, or billiard table
keeper or a retailer of spirituous liquors or
other person keeping a house of public en-
tertainment, who shall entertain any persons
not being travellers, strangers or lodgers, in
his house on the Lord's day, or shall suffer
any person on said day to abide or remain
in his house or in any building or place ap-
pertaining thereto, drinking or spending
their time in games, idly or at play, or in
doing any secular business, shall be pun-
ished by a fine not exceeding ten dollars for
each person so entertained, or suffered to
abide or remain; and every person so abid-
ing or drinking shall be punished by a fine
not exceeding five dollars.

4. No person shall serve or execute any
civil process on the Lord's day; and any
such service or execution shall be void.

5. All marshals, sheriffs, constables and
other public officers, shall inquire into, and
inform of all offenses in violation of the pro-
visions of this chapter, and shall cause the
same to be carried into effect.

6. The Lord's day, within the meaning
of the provisions of this chapter, is the first
day of the week, and includes the time be-
tween the midnight preceding and the mid-
night following said day.

CHAPTER XXXVII.—Common Nuisance.

1. The offense of common nuisance is
the endangering of the public personal safety
or health, or doing, causing, or promoting,
maintaining or continuing what is offensive,
or annoying or vexatious, or plainly hurtful
to the public, or is a public outrage against
common decency or common morality, or
tends plainly and directly to the corruption
of the morals, honesty and good habits of
the people, the same being without authori-
ty or justification by law.

As, for example, the carrying on a trade,
manufacture or business in places so situ-
ated that others indiscriminately, who reside
in the vicinity, or pass a highway or public
place, or resort to a schoolhouse, meeting-
house or any other place of legal and usual
resort or assembly, are liable to be thereby
injured, annoyed, disturbed or endangered
by deleterious exhalations, noisome vapors,
hideous, alarming or disgusting sights, in-
tolerable noise or otherwise:

By spreading, or endangering the spread-
ing of the small pox, or other infectious
disease; by carrying an infected person, or
causing him to pass through a frequented
street; by opening a hospital or pest house
so as to endanger neighbors or the passers
by in a frequented street or otherwise:

Making or storing gunpowder, in or near
a populous, or public or frequented place,
without authority therefor, or the otherwise
making or storing the same contrary to law:

Making loud and troublesome noises by
night:

Keeping animals that disturb the neigh-
borhood by night:

Permitting ferocious or dangerous animals
to go abroad:

Keeping a bawdy house:

Open lewdness or lascivious behavior, or
indecent exposure:

Keeping a common gambling house:

Keeping a disorderly house, to the public
disturbance and annoyance.

2. Occasioning a groundless fear or
merely a trivial annoyance or inconvenience
is not a common nuisance. Whether the
act or thing is really so hurtful or prejudicial
to others as to render it a common nuisance,
is a question of fact to be determined by
the jury, court or magistrate called to pass upon
the same.

3. Where only a few persons, of many
who are equally exposed, are, owing to their
peculiarity of temperament, or to infirmity,
annoyed by an act or thing, the same is not
a nuisance:

As where the noise of a tinman's shop
annoys but a few of many persons equally
within hearing.

4. Obstructing a highway, channel, en-
trance to a harbor, harbor, town way, navi-
gable stream, or public place, without just
cause, is a common nuisance.

As by digging a ditch, laying logs, erect-
ing a gate or placing any other impediment
in a highway:

By leaving carts or other vehicles stand-
ing in the highway an unreasonable time:

By using the highway as a timber yard,
or a yard to a storehouse, or as a place to
dry hides:

By erecting or maintaining a building,
fence or structure within the limits of a
highway or public place:

By overfloading a highway:

By rapid or unskillful driving, or driving
an unmanageable team on the highway and
thereby endangering life:

By tying horses or other animals in the
public streets for the purpose of grazing.

5. Reasonable use of a highway as such
is not a common nuisance: As, for exam-
ple, unloading wood to put the same into
a house standing near the highway, if it
does not occupy an unreasonable portion of
the highway, and is not left for an unrea-
sonable, or for an unreasonable time.

6. The firing, letting off or throwing of
any rockets, squibs, crackers, or other
fireworks in or near to frequented public
highways or places of common resort, or the
dwellings of others, or otherwise, to the an-
noyance and endangering of persons, or the
endangering the destruction of or injury to

property, is a common nuisance, except the
same are fired, let off or thrown by license
of the Governor, or, in his absence, of the
police justice of the town, and in conformity
with such license.

7. The importing, printing, publishing,
selling, offering for sale, putting into circu-
lation, distributing, lending, exhibiting pub-
licly, or introducing into any family, school
or place of education, any obscene picture,
or pamphlet, sheet or other thing contain-
ing obscene language, obscene prints, fig-
ures, descriptions or representations, mani-
festly tending to the corruption of the mor-
als of youth, or of morals generally; or buy-
ing, procuring, receiving or having in pos-
session, any such picture, book, pamphlet,
sheet or other thing, with intent to sell, cir-
culate, distribute, lend, or exhibit the same,
or to introduce the same into any family,
school or place of education, is a common
nuisance.

8. The offense of common nuisance is of
two degrees, and the degree is to be found
by the jury, or determined by the court or
magistrate authorized to decide on the facts;
and so also the degree is to be determined
by the court before which proceedings are
had, where the facts charged are admitted
by plea or otherwise.

9. Whoever is guilty of the offense of
common nuisance in the first degree, for
which punishment is not otherwise expressly
provided by statute, shall be punished by
imprisonment at hard labor not more than
six months, or by fine not exceeding five
hundred dollars.

10. Whoever is guilty of the offense of
common nuisance in the second degree, for
which punishment is not otherwise expressly
provided by statute, shall be punished by
imprisonment at hard labor not more than
two months, or by fine not exceeding twenty
five dollars.

11. Where the lessee of a building makes
the same a bawdy house, the lease or contract
for letting the same shall at the option of
the lessor become void, and the lessor shall
thereupon have a like remedy for recovering
possession, as against a tenant holding over
after the expiration of his term; and more-
over shall be entitled to rent for the whole
term.

12. Any justice of a police or district
court, may issue a search warrant for the
purpose of searching for any obscene books,
pamphlets, pictures, or other things, con-
taining obscene language, prints, pictures,
figures, or descriptions manifestly tending
to the corruption of the morals of youth;
and all such things as may be found by any
officer in executing such warrant, or that may
otherwise come to the possession of any
officer, shall be safely kept, so long as shall
be necessary for the purpose of being used
as evidence in any case, and as soon as may
be afterwards shall be destroyed by order
of the court before whom the same shall be
brought.

CHAPTER XXXVIII.—Vagrants.—Disor- derly persons.

1. Any idle person who is able to work,
who habitually goes about begging for his
support and profit, or for the support of his
family, or who, without visible means of
support, lives in idleness eating the food of
others, and any person wandering abroad,
and not giving a good account of himself,
may be arrested and carried before any po-
lice or district justice, who shall have the
power of committing any such person to the
district workhouse, or to the cutting of
stone, or such other government work as
may be usual in the district in which such
person is arrested, for any period not ex-
ceeding six months; or to bind out such
idler to labor for a term not exceeding one
year at any one time, with any agriculturist,
planter or farmer in any of the islands, or
with any mechanic or artisan. The hire paid
for the services of such idler, if any, shall
go two-thirds to the person thus apprenticed
and one third to the exchequer; and in case
the idler thus apprenticed shall neglect or
refuse to do the reasonable labor required
of him, the person to whom he is bound is
authorized to use such reasonable coercive
measures, as the police or district justice
of the district in which he resides may
from time to time indicate.

2. Any persons who having no visible
calling, support themselves for the most
part by gaming:

Any juggler; or any person who prac-
tices hoo-manana or pretends to tell for-
tunes, or where lost and stolen goods may
be found: